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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 MARKUS TATUM,

11 Plaintiff,

No. CIV S-02-2597 FCD KJM P

12 vs.

13 T.L. ROSARIO, et al.,

14 Defendants.

ORDER

15 _____/
16 On January 13, 2006, plaintiff filed a motion asking that he be allowed to
17 withdraw his motion for voluntary dismissal filed on November 4, 2005. Plaintiff's request for
18 voluntary dismissal was granted on December 1, 2005 and this action was closed. Because this
19 action is now closed, and because the court already granted plaintiff's motion for voluntary
20 dismissal, plaintiff's motion arises under Rule 60 of the Federal Rules of Civil Procedure.

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DATED: April 17, 2006

/s/ Frank C. Damrell Jr.
FRANK C. DAMRELL JR.
United States District Judge